



**CITY OF SCOTTSDALE  
MCDOWELL SONORAN PRESERVE COMMISSION  
SPECIAL MEETING**

**May 30, 2013**

**Florence Ely Nelson Desert Park  
8950 E. Pinnacle Peak Road  
Scottsdale, AZ 85255**

**PRESENT:** James Heitel, Chairman  
Fred Klein, Vice Chairman  
Susan Wheeler, Commissioner  
Marg Nelssen, Commissioner  
Robert Frost, Commissioner  
Con Englehorn, Commissioner  
Mike Milillo, Commissioner

**STAFF:** Kroy Ekblaw  
Scott Hamilton  
Claire Miller  
Robbin Schweitzer  
Liz Hildenbrand  
John Loleit

**GUESTS:** Mike Nolan  
Jack McEnroe  
David Hay  
Howard Myers  
Rebecca Eickley  
Ed Quihuis  
Mary Jordan  
Bob Stapleton

1. **CALL TO ORDER**

Chairman Heitel called the meeting to order at 5:06 p.m.

2. **ROLL CALL**

Members present as noted above.

3. **PUBLIC COMMENT**

There were no members of the public who wished to speak.

4. **APPROVAL OF MINUTES**

Approval of the Regular Meeting minutes of May 2, 2013

**COMMISSIONER FROST MOVED TO APPROVE THE MAY 2, 2013 MCDOWELL SONORAN PRESERVE COMMISSION MEETING MINUTES. SECONDED BY COMMISSIONER MILILLO, THE MOTION CARRIED BY A UNANIMOUS VOTE OF SEVEN (7) TO ZERO (0).**

5. **MCDOWELL SONORAN CONSERVANCY UPDATE** (Begins at 5:07; approximately one minute into the meeting)

Mr. Nolan said that the MSC and Preserve staff met to wrap up the end of the year and discuss next year's activities. He reported on the Pathfinders activities at the Gateway, Thompson Peak, and Tom's Thumb and noted that patrol has moved into their summer schedule.

6. **COMMERCIAL GUIDED TOURS - MOTORIZED** (Begins at 5:09; approximately three minutes into the meeting)

Mr. Ekblaw reviewed the possible options for addressing the issues related to allowing commercial guided tours using motorized vehicles in the Preserve. He discussed the research relating to the initial Commission and Council discussions about commercial guided tours in the Preserve and distributed a letter from Doreen O'Connell.

Discussion ensued regarding the history of the City's relationship with the commercial guided tour operators.

Mary Jordan spoke regarding the jeep tour routes and the importance of giving citizens an opportunity to experience the Sonoran Desert.

Bob Stapleton spoke about educating people about the Sonoran Desert.

Howard Myers discussed his concerns about setting precedent if any motorized vehicle operation were to be permitted in the Preserve.

Commissioners were given the opportunity to ask questions and make comments.

**VICE-CHAIR KLEIN MOVED TO RECOMMEND TO COUNCIL THAT THE PRESERVE ORDINANCE REMAIN UNCHANGED WHERE IT HAS TO DO WITH MOTORIZED VEHICLE OPERATIONS IN THE PRESERVE. COMMISSIONER ENGLEHORN SECONDED THE MOTION.**

Discussion ensued regarding the motion and the possible options for continuing operation if the tour operators were to change their business plan and operate within the regulations outlined in the current Preserve Ordinance.

**THE MOTION TO RECOMMEND TO COUNCIL THAT THE PRESERVE ORDINANCE REMAIN UNCHANGED WHERE IT HAS TO DO WITH MOTORIZED VEHICLE OPERATIONS IN THE PRESERVE CARRIED WITH A VOTE OF FIVE (5) TO TWO (2). COMMISSIONERS WHEELER AND NELSEN DISSENTED.**

**COMMISSIONER FROST MOVED TO AUTHORIZE THE TEMPORARY PERMIT OPTION OUTLINED BY STAFF IN ORDER TO ALLOW CURRENT OPERATORS TO DEVELOP A BUSINESS PLAN TO CONTINUE OPERATIONS UNDER THE CURRENT PRESERVE ORDINANCE. COMMISSIONER WHEELER SECONDED THE MOTION.**

Discussion ensued regarding the motion.

**THE MOTION TO AUTHORIZE THE TEMPORARY PERMIT OPTION OUTLINED BY STAFF IN ORDER TO ALLOW CURRENT OPERATORS TO DEVELOP A BUSINESS PLAN TO CONTINUE OPERATIONS UNDER THE CURRENT PRESERVE ORDINANCE FAILED BY A VOTE OF THREE (3) TO FOUR (4). CHAIR HEITEL, VICE-CHAIR KLEIN, AND COMMISSIONERS ENGLEHORN AND MILILLO DISSENTED.**

(A verbatim version of the discussion on Commercial Guided Tours - Motorized attached as a separate document)

The Commission took a five-minute break.

**7. DDC UPDATE** (Begins at 6:11; approximately 1 hour and five minutes into the meeting)

Mr. Ekblaw provided the Commissioners with the Phase III Committee analysis and summary. The Committee accepted the report and identified the Gateway site if the DDC were to be located within the Preserve boundaries. If the DDC were to be located outside the Preserve boundaries they recommended the 94th Street and Bell location or the Pima and Dynamite location. The Committee encouraged the City to continue to seek partners and operators for the Desert Discovery Center, because without an understanding of the exact nature of the project specific site identification is premature.

The Commission discussed the Phase III Committee's recommendations and the history of the Desert Discovery Center discussion. Mr. Ekblaw noted that Council did choose to fund the Phase II Study with Preserve tax dollars against the recommendation of the McDowell Sonoran Preserve Commission and the Tourism Development Commission. However, upon accepting the Phase II study, Council expressed support for the MSPC,

TDC, and DDC Phase II Committee recommendations to find an alternate method for funding the building of the facility.

Howard Myers recalled the opinion expressed by the MSPC during the Phase II discussions and noted concern about the recommendations of the Phase III Committee. He opined that the site location should be put to the public for a vote. He suggested that the McDowell Sonoran Preserve Commission conduct a separate site analysis related specifically to the Preserve Ordinance.

Discussion ensued regarding Commissioners as individuals expressing their opinion to Council and the possibility of conducting a separate analysis.

**8. LAND ACQUISITION STATUS** (Begins at 6:33; approximately 1 hour and 24 minutes into the meeting)

Mr. Ekblaw provided an update on the appraisal process. He reviewed the grant application restrictions, noting that the City of Scottsdale will be the only applicant for Maricopa County. If additional grant dollars are available the City will have time at the end of summer or early fall to decide whether or not to pursue those additional funds.

**9. STAFF REPORTS** (Begins at 6:40; approximately 1 hour and 31 minutes into the meeting)

- Project updates - north area access and trails  
- summer projects

Ms. Hildenbrand provided an update on Brown's Ranch trailhead construction, Granite Mountain Trailhead, the North Area Trails, the Paradise Mine closures, Tom's Thumb, and the solar panel installation. She noted that the Phase II Trail plan will be assessed in the fall.

**10. COMMISSIONER COMMENTS** (Begins at 6:49; approximately 1 hour and 43 minutes into the meeting)

Vice-Chair Klein wished everyone a pleasant summer.

Commissioner Wheeler mentioned that equestrian activist Tracy House passed away and a memorial service will be held sometime in the fall. She suggested the possibility of naming a horse trail for Tracy.

**11. AGENDA ITEMS FOR SEPTEMBER 5, 2013**

- North Trailhead Study - Fall
- Acquisition - Status
- Future Land Cost Benefit Study Process - Fall
- Lost Dog Wash Interpretive Trail - Fall

**12.    ADJOURNMENT**

The meeting adjourned at 6:51 p.m.

Respectfully submitted,  
A/V Tronics, Inc. DBA AVTranz.